Candidate's Guide to Municipal and School Board Elections

Produced for the Council and School Board Elections

October 16, 2004

NOVA SCOTIA
Service Nova Scotia
and Municipal Relations

104-05533/

FOREWORD

This guide has been prepared by Service Nova Scotia and Municipal Relations, with the assistance of the Municipal Elections Officer, to assist those who are contemplating offering for municipal or school board elected office in the upcoming elections, including candidates for the African Nova Scotian member of the regional or district school boards and the *Conseil scolaire acadien provincial* (CSAP). This version has been prepared for the regular elections in 2004.

The guide is intended to inform prospective candidates on:

- qualifications for nomination (including disqualifications for office)
- nomination procedures
- relevant election procedures
- duties, obligations and responsibilities of candidates
- duties, obligations and responsibilities of elected councillors and school board members

Presentation of the information in this guide is very general, and prospective candidates should refer directly to the *Municipal Elections Act* or the *Education Act* for specific authority. Copies of these Acts are available electronically on the government web site at: www.gov.ns.ca and may be available from the municipal returning officer. Candidates for school board may also wish to visit the Nova Scotia School Boards Association web site at: www.nssba.ednet.ns.ca, for further information.

TABLE OF CONTENTS

FOREWORD 2

KEY DATES 6

CANDIDATE'S CHECK LIST 7

ADMINISTRATION OF THE ELECTION 9

Municipal Polling Districts and School Board Electoral Districts 9
Returning Officers 9
Polling Divisions 10
Poll Officials 10

BECOMING A CANDIDATE 11

What Are the Qualifications to Run for Council? 11
Disqualifications 11
Requirement to Pay Taxes and Liens 11

What Are the Qualifications to Run for School Board? 12
Disqualifications 12
Certificate Respecting Taxes Not Required 12
African Nova Scotian Member of a Regional/District School Board 13
Conseil scolaire acadien provincial (CSAP) 13

What If I or My family members Do Business With the Municipality or School Board? 13

How Do I Become a Nominated Candidate? 14
1. Obtain a Nomination Paper and Other Nomination Information 14
2. Complete the Nomination Paper 14
3. Provide a Certificate Respecting Taxes From the Municipality (Council Only) 15
4. Pay the Required Deposit 15
5. Returning Officer to Sign Receipt 16

When Do I File My Nomination Paper? 16

Can I Change My Mind About Running? 16

THE LIST OF ELECTORS 17

When Can I Get the List of Electors? 17

What Are My Responsibilities for the List of Electors? 17

What Happens If an Elector's Name Is Not on the List of Electors? 17

ELECTION CAMPAIGNS 19

Are There Any Rules About Campaigning in an Election? 19

What About Election Advertising? 19

What About Financing My Election Campaign? 20
Rules for Recording and Disclosing Campaign Contributions 20
A Candidate Must Have an Official Agent 20
When Do I Need to Appoint an Official Agent? 21
How Are the Contributions Handled? 21
Are There Restrictions on the Sources of Contributions? 22
What Is a Contribution That Needs to Be Recorded by the Official Agent? 22
What Contributions Need to be Disclosed? 24
Filing the Disclosure Statement 24

VOTING PROCEDURES 25

What Are the Voting Days and Times? 25

What If an Elector Cannot Vote on Any of the Polling Days? 25

Can I Be Present or Have Representatives in the Polling Stations? 26
Rules for Candidates 26
Candidate's Agents 27
Agent's Responsibilities 27
Counting the Ballots 28
Special Requirements for the Counting of Certain School Board Ballots 28

When Will I Know the Official Results of the Election? 29

POST-ELECTION RESPONSIBILITIES 30

Am I Entitled to a Return of My Deposit? 30

WHAT IF I WANT TO CHALLENGE THE RESULT OF AN ELECTION? 31

Judicial Recount 31

Application to Declare the Election Void 31

WHEN DO THE NEWLY ELECTED MEMBERS ASSUME OFFICE? 33

Oath of Office 33

BASIC DUTIES AND RESPONSIBILITIES OF MEMBERS **34**

What Is My Oath of Office? 34

What Are My Personal Responsibilities? 34

What Is the Structure of Council? 35

What Are My Responsibilities At Council Meetings? 36

How Does Council Make Decisions? 36
By-laws, Policies and Resolutions 36
Rules of Procedure 36

What Is the Relationship Between the Council and the Administration of the Municipality? 37

HELP FOR NEWLY ELECTED COUNCILLORS **38**

THE SCHOOL BOARD **39**

What Specific Legislation Applies to the Election of School Board Members? 39

What Are My Duties and Responsibilities? 39

HELP FOR NEWLY ELECTED SCHOOL BOARD MEMBERS **40**

APPENDIX **41**

Form 40, Sections 49A and 49B -
Candidate's Campaign Contributions Disclosure Statement

Form 41, Sections 49A and 49B -
Association's Campaign Contributions Disclosure Statement

Form 17, Section 70 -
Appointment of Official Agent

French translation of
Form 40
Form 41
Form 17

Forms to Request Judicial Recount

KEY DATES
- for Quick Reference

March 14, 2004	•	**RESIDENCY REQUIRED TO QUALIFY AS CANDIDATE** in Municipality or School Region
September 14, 2004	•	**NOMINATION DAY**
(nominations can be filed by appointment with the returning officer in the 5 business days prior to nomination day)		
September 15, 2004	•	**LAST DAY FOR CANDIDATE TO WITHDRAW**
October 7, 2004 OR October 9, 2004 (option of council)	•	**FIRST ADVANCE POLL**
October 12, 2004	•	**SECOND ADVANCE POLL**
October 16, 2004	•	**ELECTION DAY**
October 19, 2004	•	**OFFICIAL ADDITION**
October 25, 2004	•	**LAST DAY TO FILE AFFIDAVIT** (re: removal of posters for return of full or part of deposit)
October 26, 2004	•	**LAST DAY TO APPLY FOR A RECOUNT**
December 15, 2004	•	**LAST DAY TO FILE CAMPAIGN CONTRIBUTIONS DISCLOSURE FORM**

CANDIDATE'S CHECK LIST

1. Decide which office (mayor, councillor, school board member) you wish to be nominated for.

2. Check to establish that you hold the qualifications for such office (age, citizenship, etc.). Details are on pp 11-13.

3. Ensure that you are not disqualified from holding such an office (occupation, residency, etc.). Details are on pp 11-13. The onus is on the person nominated for election to an office to file a *bona fide* nomination paper. Council candidates must have paid taxes and charges that are liens on their property.

4. Appoint an official agent or file a declaration that you will be acting as your own official agent. The official agent must keep track of any campaign contributions and open a bank account for this purpose.

5. Note the Key Dates provided for quick reference at the beginning of this guide.

6. Note the name and office location of the returning officer for the election. (Often the municipal clerk is appointed returning officer. If not, the municipal clerk will give you the contact information for the returning officer).

7. Obtain the correct nomination paper.

8. Complete the nomination section of the nomination paper and determine the qualifications required for the electors who are eligible to nominate you for election to council or school board.

9. Obtain the required number of signatures of qualified electors as nominators on your nomination paper. (A nomination paper must be signed by at least five qualified electors whose names appear on the list of electors.)

10. Complete and sign the "Oath and Consent" portion of the nomination paper. If you are away from the municipality you may in writing authorize your agent to do so.

11. Obtain a certificate that your charges that are liens and your taxes are paid (if running for council, not school board). File your nomination paper with the

returning officer between 9:00 a.m. and 5:00 p.m. on nomination day, or by appointment during the five business days preceding nomination day. Once your nomination paper has been accepted by the returning officer, who accepts the nomination by signing the receipt, it is open for inspection by the public. Once accepted, the returning officer will provide you or your official agent with a copy of the final list of electors entitled to vote for the office for which you are a candidate. Note that the list of electors is to be used for election purposes only and all of your copies must be returned after the election. The *Municipal Elections Act* does not allow the list to be open for inspection, disposed of or sold for other purposes.

12. You or your official agent may also appoint other agents or scrutineers to represent you at the polls on election day. Only one poll agent may represent you at a polling station at any one time. You may not act as this agent.

13. Election day ... **DON'T FORGET TO VOTE!**

14. Remove signs, posters, and other election advertising within seven days of the election and return your copies of the voters list. Failure to do so is an offence.

15. Campaign contribution disclosure forms must be filed within 60 days of the election. Failure to file or filing late is an offence.

ADMINISTRATION OF THE ELECTION

Municipal Polling Districts and School Board Electoral Districts

- Each regional, county, or district municipality and some towns are divided into **polling districts.** A polling district is the geographic area that an elected councillor represents. A polling district can elect one member to council, or more than one, in the case of some towns with a ward system. Some towns are one polling district, with the council members elected at large.

- For the purpose of electing members to the school board, the geographic area within the jurisdiction of the school board is divided into **electoral districts.** The school board electoral district is made up of several municipal polling districts, and will often include polling districts from several municipalities.

Returning Officers

- The municipal official who is responsible for administering the election in the municipality is the returning officer.

- The returning officer may be the clerk of the municipality, or another municipal staff member, or may be someone who has been contracted by the municipality to work as the returning officer.

- The municipal returning officer is responsible for the administration of the election in all the polling districts in the municipality, and is the person who will be able to give candidates all necessary information about the election.

- Municipal returning officers also administer **school board elections.** They are responsible for the school board elections in their municipalities. However, because many school board electoral districts take in more than one municipality, one of the municipal returning officers in the school board electoral district acts as the returning officer for the school board election in that electoral district. Therefore, some **school board candidates** will find that the returning officer with whom they must file their nomination papers is in a different municipality. The municipal returning officer will be able to provide contact information for the school board returning officer.

Polling Divisions

- Municipal polling districts are divided into polling divisions. A polling division contains up to 700 electors. A polling station is established for each polling division.

Poll Officials

- The returning officer appoints a deputy returning officer and a poll clerk for each polling station in the municipality.

- The deputy returning officer is responsible for the management of the polling station on the voting day. The poll clerk is responsible for keeping the written records of the voting.

BECOMING A CANDIDATE

What Are the Qualifications to Run for Council?

- In order to run for council (mayor or councillor) you must:
  - be 18 years of age at the time of nomination
  - be a Canadian citizen
  - be ordinarily resident in the municipality in which you are seeking office for 6 months preceding nomination day (by March 14th), and continue to so reside

- You do not need to reside in the polling district of the municipality in which you wish to seek election, as long as you meet the residency requirement of 6 months in the municipality.

Disqualifications

- A number of situations or occupations disqualify the following from seeking municipal office:
  - Members of Parliament or Senators;
  - Members of the Legislative Assembly;
  - municipal employees or other municipal office holders, unless on an approved leave of absence (this disqualification does not apply to volunteer firefighters with a municipal firefighting organization, school board employees and employees of joint bodies of two or more municipalities);
  - councillors in another municipal unit or elected school board members (during a special election);
  - those who within five years prior to nomination day have been convicted of bribery or a corrupt practice contrary to the *Municipal Elections Act* or who have been disqualified from any office pursuant to the provisions of the *Municipal Conflict of Interest Act*;
  - judges.

Requirement to Pay Taxes and Liens

- To qualify for nomination to council, you must ensure that you have paid in full all municipal charges that are liens and taxes owing by nomination day. You will need to get a certificate from the municipality to this effect, which must be filed with your nomination paper.

What Are the Qualifications to Run for School Board?

- In order to run for school board (including the African Nova Scotian member of the regional or district school board, and CSAP), you must:

  - be 18 years of age at the time of nomination
  - be a Canadian citizen
  - be ordinarily resident in the school district or school region in which you are seeking office for 6 months preceding nomination day (by March 14th), and continue to so reside

- The "school district" is the area over which a district school board exercises jurisdiction. The "school region" is the area over which a regional school board exercises jurisdiction. The jurisdiction ("school region") of CSAP is the entire Province.

- You do not need to reside in the electoral district of the school board in which you wish to seek election, as long as you meet the residency requirement of 6 months in the school district or school region.

Disqualifications

- A number of situations or occupations disqualify the following from seeking elected school board office:

  - Members of Parliament or Senators;
  - Members of the Legislative Assembly;
  - Member of another school board;
  - judges;
  - person who would be a member of a council and a member of the school board at the same time;
  - school board employees (This applies to the school board for which a person works. An employee of one school board may run for office in another school board.);
  - those who within 10 years prior to nomination day have been convicted of bribery or a corrupt practice contrary to the *Municipal Elections Act,* or who have been disqualified from any office pursuant to the provisions of the *Municipal Conflict of Interest Act* or the *Municipal Elections Act* and the period of disqualification has not expired.

Certificate Respecting Taxes Not Required

- A certificate indicating that a candidate has paid municipal liens and taxes is not required for school board candidates.

African Nova Scotian Member of a Regional or District School Board

- In addition to the qualifications to run for school board, you must be an African Nova Scotian or a black person.

Conseil scolaire acadien provincial (CSAP)

- In addition to the qualifications to run for school board, you must be an entitled person. An entitled person is a person:
  - whose first language learned and still understood is French, **or**
  - who received his or her primary school instruction in Canada in a French-first-language program, **or**
  - who is the parent of a child who has received or is receiving primary or secondary school instruction in Canada in a French-first-language program.
- Note that a parent in this context does not include a guardian or person acting *in loco parentis* to a child.
- For clarity, a French immersion program is **not** a French-first-language program.

What If I or My Family Members Do Business With the Municipality or School Board?

- Municipal and school board officials as public officials are expected to place the public interest before their own private advantage.
- For municipalities and school boards, rules for determining and declaring a conflict of interest are set out in the *Municipal Conflict of Interest Act*.
- The Act requires any member of council or of a local board who has a financial interest in any matter coming before the council or local board to declare that interest and to withdraw from any discussion of it. If the meeting is closed, the member must leave the room where the meeting is being held. If the meeting is open, the member must withdraw and leave the room or sit in the public gallery.
- The member is thus disqualified from dealing with the particular matter in which he or she has an interest but not from sitting on council or the local board when other matters are discussed.
- In general, any qualified person with a potential conflicting interest is free to seek municipal office. The only requirement is that, once elected, the incumbent must comply with the principle of disclosure and withdrawal

whenever his or her financial interest may be affected by an action of the council or local board.

- It should be noted that the interest of a member is broadly defined to include the pecuniary interest of relatives, a spouse, and a spouse's relatives. However, several situations that are relatively common and of minor consequence are deemed not to constitute conflict of interest. Please refer to the *Municipal Conflict of Interest Act* for additional detail.

How Do I Become a Nominated Candidate?

1. Obtain a Nomination Paper and Other Nomination Information

   - Contact the returning officer for your municipality. Besides the nomination form, other information about running in the election will be available.

   - **School board candidates:** The municipal returning officer in your municipality may not be the returning officer for the school board election, but will be able to give you contact information for the school board returning officer.

   - You can only be nominated for one office. You must use the correct nomination paper for that office.

2. Complete the Nomination Paper

   You will need:

   - **At least five qualified electors who will sign the nomination paper and nominate you as a candidate.**

     - The names of the people who sign your nomination paper must appear on the list of electors and they must be qualified to vote for you. This means that they must be eligible to vote in the district in which you are running, and to vote for the office that you are running for.
     - You should get more than five persons to sign your nomination paper in case one or more of your nominators is not qualified to sign it.

   - **The name of your official agent.**

     - Your official agent is responsible for filing your campaign finance disclosure forms following the election, and can act on your behalf at certain times.
     - You can act as your own official agent.

- **Complete the Consent and Oath or Affirmation of the Candidate.**

  - The Oath or Affirmation of the Candidate must be sworn. The returning officer or another person who is qualified to take oaths must take your oath or affirmation.
  - The oath or affirmation states that you consent to the nomination, that you are qualified to run, that you have paid your taxes and any charges that are liens on property (council candidates only), and that you will accept the office, if you are elected.

3. Provide a Certificate Respecting Taxes From the Municipality
(Council Candidates Only)

   - The certificate must be signed by the municipal official who is qualified to do so.

   - The certificate indicates that all taxes and charges that are liens that you owe to the municipality have been paid as of nomination day.

   - Include the certificate with your nomination paper when it is filed.

4. Pay the Required Deposit

   - A nomination deposit may be required by the municipality. Not all municipalities have a deposit requirement.

   - The maximum amount of the deposit is $200. Some municipalities have a smaller deposit.

   - The deposit must be paid in:

     - cash
     - certified cheque or bank draft payable to the municipality
     - postal money order payable to the municipality
       Personal cheques are not accepted.

   - **School board candidates:** The amount of the deposit is the largest amount that is charged by the municipalities that are in the school board electoral district in which you are running. The school board returning officer will tell you the size of the deposit required.

   - Candidates are entitled to have their nomination deposit refunded after the election if certain criteria are met (see p. 30).

5. Once the returning officer is satisfied that you have met the requirements for nomination, the **returning officer will sign the receipt** on the nomination paper.

YOU ARE NOW OFFICIALLY NOMINATED.

When Do I File My Nomination Paper?

- Nomination day is **Tuesday, September 14, 2004, between 9:00 a.m. and 5:00 p.m.** You can file your nomination paper early, starting 5 business days before nomination day, **by appointment with the returning officer.**

- Candidates are encouraged to file early, so that any potential problems can be resolved prior to the deadline. This is especially so for school board candidates, who are filing their nomination papers with a returning officer in another municipality.

- If you **cannot personally file** the nomination paper during these times, your official agent can complete and file it for you. You must authorize your official agent in writing to do this on your behalf. The written authorization must be filed in advance with the returning officer, or along with your nomination paper. **Note, however, that candidates for CSAP must personally complete the Statement of Qualification on the nomination form.**

- As soon as you file your nomination paper, the information about your candidacy is public information.

Can I Change My Mind About Running?

- You can **withdraw** as a candidate up to **4:00 p.m. on Wednesday, September 15, 2004.** You will forfeit your deposit. After that date, your name must appear on the ballot paper.

- You can ask for a **change in the particulars** in how your name appears on the ballot paper up to **4:00 p.m. on Wednesday, September 15, 2004.**

THE LIST OF ELECTORS

When Can I Get the List of Electors?

- Once your nomination papers are filed, the returning officer will provide you with the list of electors.
- If you are running for **council**, the returning officer will give you a copy of the final list of electors for the polling district in which you are running.
- If you are running for **mayor**, you will get the final lists of electors for the whole municipality.
- If you are running for **school board**, you will get the final lists of electors for the electoral district in which you are running. This could include a number of municipal districts, or more than one municipality.

What Are My Responsibilities for the List of Electors?

- The list of electors can be used for **electoral purposes only**. This means that you can use the list for campaigning for election, and persons working on your campaign, and your agents in the polling stations, can also use it.
- Once the election is over, you must return all copies of the list of electors in your possession to the returning officer.
- While the list of electors is in your possession, it cannot be open for inspection (except for an electoral purpose), disposed of or sold.

What Happens If an Elector's Name Is Not on the List of Electors?

- An elector whose name is not on the final list of electors can still be added to the list.
- **Up until 5:00 p.m. on October 13th ,** an elector can obtain a certificate of eligibility to vote from the returning officer, by filing an application in Form 10A of the *Municipal Elections Act*.

- Once a certificate of eligibility has been issued, the name of the elector is then deemed to be on the final list of electors.

- An elector whose name is not on the final list of electors can also be added at the polling station on both the advance poll days and on election day. The elector will have to present identification to the poll official.

ELECTION CAMPAIGNS

Are There Any Rules About Campaigning in an Election?

- You can begin campaigning at any time.
- You or your representatives are entitled to lawfully campaign in locked multiple unit buildings or condominium complexes, during reasonable hours. You must approach the superintendent or building management to gain access to the building. Obstruction is an offence.
- You can campaign on election day, but you **cannot loiter or solicit votes** around a polling place, or within 200 feet of a polling place. A candidate who is loitering or soliciting votes can be ordered away by the deputy returning officer, and can be arrested for disobeying the order.
- No one can wear partisan buttons or other materials within 200 feet of the wall of a building containing a polling station on election day.

What About Election Advertising?

- All printed election advertising must be identified. Your name and address as well as the name and address of your printer must appear on every flyer, poster, placard, etc. that is distributed on your behalf. If you produce your own printed materials, then you must identify yourself as the printer of the materials.
- All advertising published in a newspaper or other publication must state the name and address of the person who has it published.
- Failure to comply with these provisions is an offence.
- A tenant or owner of a condominium unit may display election advertising on their own leased or owned premises, subject to any reasonable conditions relating to size or type of election posters that may be set by the landlord or condominium corporation. A landlord or condominium corporation may prohibit election advertising posters in common areas.
- The municipality where you are running will provide information about where you can post your election campaign signs on public property. There are also rules concerning the posting of materials along provincial highways,

municipal streets and roads, as well as prohibitions against posting signs on power or telephone poles.

- You can advertise on election day, **with the exception that there can be no election advertising material placed, posted or distributed within 200 feet of a wall of a building in which a polling station is situated.** It is an offence to post or display such advertising. If such advertising is placed in violation of this provision, the returning officer can have it removed and deduct the cost of removal from your candidate's deposit.

- If you or your representatives are transporting electors to the polls, remember that the prohibition against election signage within 200 feet of the polling place applies to advertising affixed to vehicles which drive up to the polling place.

What About Financing My Election Campaign?

- Many candidates will receive contributions toward the cost of mounting an election campaign. The law is that a candidate has a responsibility to disclose the names of the donors of more than $50.00 to his/her campaign, and the amount of the contributions.

- Disclosure of campaign contributions is done by candidates for provincial and federal elections as well, and the practice is viewed as a method to increase public confidence in the electoral process, by making it less likely that a candidate, once elected, will act secretly to further the interests of a particular person or corporation.

- Unlike federal or provincial election campaigns, **no income tax credits or deductions are available to donors to municipal or school board candidates.**

- **Rules for Recording and Disclosing Campaign Contributions**
  The following rules and procedures are to be observed:

  A Candidate Must Have an Official Agent

  - All candidates are required to have an official agent, who is responsible for taking contributions to the candidate's campaign, and recording the information about the donors.

  - A candidate can appoint someone or act as his/her own official agent by selecting the choice on Form 17.

  - Whether you appoint an official agent or act as your own official agent is a decision that you will have to make, depending on the

size of your campaign and your own personal inclinations.

- There are no particular qualifications to be an official agent, but the candidate should select someone responsible, who will be able to keep track of the funds donated and make the necessary reports.

- If an association is formed to promote the election of a candidate, it is subject to the disclosure requirements. An "association" is any group of one or more people with the goal of the election of a particular candidate. This group usually takes the form of the "Committee to elect [candidate "X"]."

- An association **must** appoint an official agent.

- An individual acting on behalf of an association would file a letter naming the official agent, or the official agent could file the document indicating that he or she is acting as official agent of the association. The agent's name and address must be included. The association should also include its name and an address where communications can be directed.

When Do I Need to Appoint an Official Agent?

- The legislation recognizes that you can be considered to be a "candidate" before you actually file your nomination papers.

- Nomination papers cannot be filed until 4 - 5 weeks before election day, but you may begin organizing your campaign or actually campaigning before that time. **As soon as you begin to accept contributions,** you must have an official agent appointed.

- The appointment of your official agent must be in writing. Form 17 can be used for this purpose.

- The appointment of an official agent must take place no later than the close of nominations on nomination day. If you are acting as your own official agent, you must indicate this on your nomination paper.

- If you are acting as your own official agent, you can subsequently appoint an official agent before the close of nominations on nomination day.

How Are the Contributions Handled?

- Whether you appoint an official agent or you act as your own official agent, it is necessary to place the contributions in a separate account.

The contributions must be dealt with separately from a candidate's personal funds.

- The official agent must record the full name and residential or business address of each contributor, together with the amount of the contribution. A post office box is not to be used as an address, unless that is the only address available.

- The reporting period is from election to election. Any contributions that were not reported in the Disclosure Statement filed after the 2000 election (or from a subsequent special election) must be reported in the 2004 Disclosure Statement.

Are There Restrictions on the Sources of Contributions?

- A candidate can accept contributions from any donor, with the following exceptions:

  - **No anonymous contributions can be accepted.** If an anonymous contribution cannot be returned to the contributor, it must be turned over to the municipality or the school board, as the case may be.

  - **No person can contribute funds not beneficially belonging to that person or funds that have been given or furnished to that person by another person for the purpose of contributing those funds** unless the person to whom the funds beneficially belong is identified as the contributor or unless the person contributing the funds is the spouse of the person to whom the funds beneficially belong.

  - Where a **trust or fund is established to further the goals of a candidate or association and the trust or fund is not controlled by an association or candidate,** the names of the contributors to the trust or fund shall be disclosed when a transfer is made from the trust or fund to either an association or candidate.

What Is a Contribution That Needs to be Recorded by the Official Agent?

- The legislation defines a contribution as "services, money, or other property donated to an association or a person to support the political purposes of an association or candidate, but does not include personal services or the use of a vehicle volunteered by a person and not provided as part of that person's work in the service of an employer".

- Contributions can therefore be of three types:

1. **"Services"** donated to a campaign are valued at the normal charge that they would attract in the marketplace.
Note that there are two exceptions. A person can donate:

- **his or her personal services, or**
- **the use of a personal vehicle,**

as long as the donation is not given as part of the person's employment.

Some examples might be useful. A "service" that might be donated during an election campaign is the design of a brochure by a graphic designer. The designer might be donating his/her services as part of his/her work as an employee of a printer, in which case the service is a contribution, and the normal cost of the service would show as the amount of the contribution. If, on the other hand, the designer did the brochure on his/her own, without regard to his/her employment, then the contribution would be a "personal service", and would not have to be disclosed.

Another type of service typically used is time and effort of campaign workers. Individuals may answer the telephone in a headquarters, or canvass for the candidate, as examples. This type of work is also "personal service", and does not need to be disclosed.

The exception for the donation of the use of a personal vehicle as a contribution means that the official agent does not have to disclose the contribution of individuals who undertake to drive persons to the polls on election day.

2. **"Money"** donated to a candidate clearly has to be recorded, in case the cumulative amount of the donations from the donor exceed $50.00.

3. **"Other property"** donated to a candidate would have to be valued at its current market value. An example might be the use of a photocopier, or the donation of space for a campaign headquarters. If there was a social event to meet the candidate, and if volunteers made sandwiches for it, then the cost of the food would show as a donation, but not the time spent by the volunteers in preparing the sandwiches.

- The value of donated goods and services that is recorded is the value that would have to be paid for them if the candidate would have to contract for them.

- There is a special rule for the valuing of goods and services donated for sale or auction. Section 49A(10) of the *Municipal Elections Act* states that the value to be recorded is the dollar value that was actually paid at the sale or auction, regardless of what the commercial value might be. For example, a local artisan might donate a piece of artwork which would normally sell at retail for $100. If the candidate held a fund-raising auction, and someone paid $200 for it, then the contribution would be recorded as $200, and the artisan would be recorded as the donor.

What Contributions Need to be Disclosed?

- Even though the official agent must record the amount and source of all contributions, **only contributions which exceed $50.00 that have been received since the previous election (either in 2000 or since the last special election in the polling district) need to be disclosed.**

- Even though only contributions in excess of $50.00 need to be disclosed, remember that the contributions can be cumulative. For example, a contributor might give $25.00 at one time, and then another amount later on. If the contributor gives a second amount which exceeds $25.00, then the contributions become reportable, even if the individual contributions do not exceed $50.00.

Filing the Disclosure Statement

- The Disclosure Statement is in Form 40 for candidates, and in Form 41 for associations.

- If a candidate ultimately does not file a nomination paper, he/she is not required to file a Disclosure Statement.

- The Disclosure Statement must be filed within 60 days after election day **(no later than December 15, 2004)** with the municipal clerk (for council candidates) or the secretary of the school board (for school board candidates).

- The 2004 Disclosure Statement must identify the contributions in excess of $50.00 that have been received during the campaign or since the 2000 Disclosure Statement (or a Disclosure Statement that was filed after a special election), and include all contributions in excess of $50.00 received up to the time that the Disclosure Statement was filed.

VOTING PROCEDURES

- Only election officers conducting the election, candidates, agents of candidates, a peace officer (if appointed), and a voter actually voting are entitled to be present in the polling place at any one time.

- Everyone in attendance is to maintain the secrecy of the voting.

What Are the Voting Days and Times?

- There are three voting days:

  - **First advance poll day**: either Thursday, October 7, 2004, **OR** Saturday, October 9, 2004, (council option) from 12:00 p.m. - 8:00 p.m.

  - **Second advance poll day:** Tuesday, October 12, 2004, from 12:00 p.m. - 8:00 p.m.

  - **Election day:** Saturday, October 16, 2004, from 8:00 a.m. - 7:00 p.m.

- An elector who expects to be unable to vote on election day is able to vote at the advance poll.

What If an Elector Cannot Vote on Any of the Polling Days?

- An elector who is going to be absent from the municipality on the advance poll days and ordinary polling day or is unable to attend at the polling station because of illness or physical disability can vote by **proxy.**

- In order to vote by proxy, the elector's name must appear on the list of electors, or the elector must have obtained a certificate of eligibility to vote.

- If a person wishes to vote by proxy, that person must complete and sign the application form (Form 21). If the elector completing the application form is not sure of his or her number on the list of electors, or his or her polling division number, those spaces can be left blank and can be completed by the returning officer, as long as there is no doubt about which elector has signed the application. For example, students who complete the application form while away from home will not have the list of electors available and therefore will

not have that information.

- When the application form has been completed, it must be returned to the municipal returning officer at any time between the day that the final list of electors was certified and 5:00 p.m. on Friday, the eighth day before ordinary polling day. **The returning officer cannot issue a proxy paper (Form 22) after 5:00 p.m. on Friday, the eighth day before ordinary polling day.**

- The application form must be delivered to the returning officer either by the elector who wishes to appoint another to vote on his or her behalf by proxy, or by the proxy voter who will act for the elector. **No other person may bring this application form to the returning officer.**

- **If the proxy voter and the elector are unrelated**, they must each be on the list of electors for the municipality or have a certificate of eligibility to vote and the proxy voter must not have been appointed as proxy voter for any other unrelated voters.

- **If the proxy voter and the elector are related** as child, grandchild, brother, sister, parent, grandparent, husband or wife, they must both be on the list of electors for the municipality or have a certificate of eligibility.

- If the elector is a **resident in a home for special care,** the elector can appoint a proxy voter who is related as a child, grandchild, brother, sister, parent, grandparent, husband or wife who is of voting age. There is no requirement for the proxy voter to be on any list of electors.

- A proxy voter can vote for any number of related persons (as described in this part), and one unrelated person.

Can I Be Present or Have Representatives in the Polling Stations?

Rules for Candidates

- As a candidate, you can be present in the polling station on during voting hours, and during the counting of the ballots.

- If you do choose to go to the polling station, remember that **you cannot loiter or solicit votes within 200 feet of the polling place.**

- In the past few elections, voters have complained about candidates standing by the doorways and in the parking lots of polling places to greet the voters. While candidates may be in a polling place to vote, to check with their agents, or to walk through, Section 105 of the *Municipal Elections Act* authorizes the returning officer or deputy returning officer

to order from the polling place and the area within 200 feet of the polling place anyone who is loitering or soliciting votes. This includes candidates. The returning officer or deputy returning officer may have arrested any person who disobeys an order.

- **You cannot act as a poll agent, even if you are acting as your own official agent.**

- **You cannot act as a friend of an elector (assist an elector to mark a ballot) unless the elector is your child, grandchild, brother, sister, grandparent, parent or spouse.**

- You can be present to witness the counting of the ballots after the polling station closes, but you cannot witness the count at more than one polling station. This means that if you are in a central polling place with more than one polling station, you cannot move from polling station to polling station to observe the count.

Candidate's Agents

- Your **official agent** can be present in the polling stations, and can act as a poll agent. (Remember that if you are your own official agent, you still cannot act as a poll agent). Your official agent must have an appointment in Form 17 before he/she can enter the polling stations.

- You may appoint any number of **poll agents**. An agent may be appointed to more than one polling station. All agents must have an appointment in Form 15 to each polling station where they are to be. They cannot enter the polling station without Form 15.

- Form 15 must be delivered to the Deputy Returning Officer at the polling station, and the agent must also take an oath in Form 16 in the poll book before being permitted to be at the polling station.

- You may only have **one poll agent present at a polling station** at any one time.

- If you appoint an agent to a mobile poll, that agent must provide his/her own transportation.

Agent's Responsibilities

- An agent may:

  - leave the polling station and return
  - observe the opening and closing of the polling station
  - observe the voting procedure

- challenge an elector, by asking for the oath of qualification (Note: the challenge must be made **before** the elector is given the ballot papers)
- view the poll book, at times when there is a lull in the voting
- object to the counting or rejecting of a ballot

- An agent **cannot:**

  - interfere with an elector
  - prohibit an elector from voting
  - question electors as they are entering the polling station
  - prevent a ballot from being counted
  - disrupt the operation of a polling station
  - challenge an elector's qualifications to vote for the African Nova Scotian member of a school board, or to vote for CSAP

Counting the Ballots

- An agent can be present at the close of the polling station, but may only witness the count at one polling station. Agents cannot move from polling station to polling station to observe the count.

- Candidates and agents cannot handle the ballots.

- You or your agents can object to the counting or the rejecting of a ballot, but the final decision on whether the ballot is counted is that of the deputy returning officer. The objection is recorded in case there is later a recount or challenge to the election.

- You or your agents are entitled to a copy of the statement of poll, which records the results of the voting at the polling station.

Special Requirements for the Counting of Certain School Board Ballots

- Some school board offices, particularly the African Nova Scotian member of the regional or district school boards, and some electoral districts of CSAP, are elected over a wide geographic area. This means that there may be some polling stations where very few electors choose to vote for the particular office.

- In order to protect the privacy of the vote, the *Municipal Elections Act* provides that where there are fewer than 10 votes at a polling station for a school board office, then the ballots are not counted at the polling station.

- In that circumstance, the uncounted ballots are sealed in an envelope and transferred to the school board returning officer, who will count and report the vote at the particular polling station, along with the ballots from other polling stations.

- Because of the distance from the school board returning office, and because the day following election day is Sunday, some of these ballots may not be delivered and counted until Monday, **October 18, 2004.**

When Will I Know the Official Results of the Election?

- The election results that are obtained on election night are the unofficial results. The official addition of the votes is conducted by the returning officer, who records the results entered on the written statements of poll from each polling station.

- The municipal returning officer conducts the official addition for all the elections in the municipality. The school board returning officer conducts the official addition for the school board election(s) that the returning officer was responsible for.

- You or your agents are entitled to be present for the official addition of the votes, which takes place starting at **10:00 a.m. on Tuesday, October 19, 2004.**

POST-ELECTION RESPONSIBILITIES

- **Within 7 days of election day (October 23, 2004),** a candidate must:

  - remove all election advertising material,
  - complete and file with the municipal clerk (for council candidates) or the returning officer for the school board (for school board candidates) an affidavit in Form 12, and
  - return all copies of the lists of electors in the candidate's possession to the clerk or returning officer, as the case may be.

- **Within 60 days of election day (December 15, 2004),** the Disclosure Statement must be filed. The legislation places the responsibility on the candidate to file the Disclosure Statement, even if the Statement is prepared by your official agent.

Am I Entitled to a Return of My Deposit?

- Once the Affidavit in Form 12 is filed, you are entitled to a refund of all or of a portion of your deposit.

- The full deposit is refundable if the candidate:

  - has been elected or acclaimed, or
  - has received at least half the votes of the successful candidate, or
  - dies before the election.

- Half the deposit is refundable to candidates polling less than half the votes of the successful candidate.

WHAT IF I WANT TO CHALLENGE THE RESULT OF AN ELECTION?

Judicial Recount

- Where the official addition of the votes by the returning officer results in a tie, there will automatically be a judicial recount.

- An application for a judicial recount may also be made within 10 days after the election **(October 26, 2004)** if the clerk authorized by council, any candidate, or any elector submits an application to the provincial court or Supreme Court of Nova Scotia accompanied by a deposit of $200.00.

- If after the judicial recount there is still a tie, the winning candidate is chosen by lot by the municipal clerk. All that is necessary in a choice by lot is for the clerk or a designate to draw a name out of a box.

- Review sections 130-138 of the *Municipal Elections Act* if you are considering a recount application. Suggested forms to initiate a recount are in the Appendix. Note that these forms have not received the approval of a court, and could be varied as the court directs.

Application to Declare the Election Void

- An elector, a candidate, or a clerk authorized by council who believes that there were irregularities during the election that could have affected the outcome may bring an action in the Supreme Court of Nova Scotia.

- Because the application must be made to the Supreme Court, legal advice should be obtained before an action is commenced.

- The application must be commenced within 21 days of ordinary polling day **(November 8, 2004).**

- The person bringing such an action must deposit $500.00 as security for court costs and any additional costs that may be

awarded if the action is unsuccessful.

- After hearing the evidence, the judge will determine whether there was an irregularity that could have affected the result. An order will be issued to conduct the election again if the judge finds an irregularity.

- Review sections 158-160 of the *Municipal Elections Act* if you are considering an application to have the election declared void.

WHEN DO THE NEWLY ELECTED MEMBERS ASSUME OFFICE?

- For **council members,** the successful candidates, including candidates who were elected by acclamation, are declared elected by the clerk at the first meeting of the council after the time for applying for a recount has expired. The meeting must be held within 4 weeks after ordinary polling day.

- For **school board members,** the successful candidates, including candidates who were elected by acclamation, are declared elected at the first meeting of the school board following the elections. The first meeting of the school board must be held not less than 14 days nor more than 30 days after the election.

- If there is a recount, the candidate(s) cannot be declared elected until the recount is complete.

Oath of Office

- The oath of office **for councillors** is administered by a judge, a justice of the peace, the mayor or warden, or the clerk.

- The oath of office **for school board members** is administered by a judge or a justice of the peace.

- The same oath is taken by both councillors and school board members.

BASIC DUTIES AND RESPONSIBILITIES

What Is My Oath of Office?

- ... I will truly, faithfully and impartially execute the duties of the office to which I have been elected to the best of my knowledge and ability.

- ... I have not received and will not receive any payment or reward or promise thereof for the exercise of any partiality or other undue execution of the duties of my office...

The above words are from the "Oath or Affirmation of Allegiance and of Office" taken by each councillor and school board member at the first meeting of the council after the election. The words place a heavy burden on the elected official to accept and discharge, in a conscientious and forthright manner, the duties, obligations, and responsibilities of office.

What Are My Personal Responsibilities?

- Once elected, it is important to remember that you have requested and received the trust of the electorate to be their representative. It will be your duty to keep the electors informed as to how you are discharging the trust and confidence they placed in you.

- It will also be your duty as an elected official to act for the whole municipality, not just the polling district from which you were elected. You will have a duty to strive to improve the finances, health, security, and quality of life in your municipality as a whole.

- You will have a personal responsibility to fulfil the obligations of the office with impartiality and integrity to the best of your ability. To do this:

    - Become informed about the problems that face your municipality today.
    - Become informed about your council's legal powers and limitations to solve these problems.
    - Make decisions without fear, favour, or evasion - and always in the best interest of the whole municipality.
    - Resist the pressures of groups of your electors organized for selfish purposes.
    - Be prepared to serve on committees of council and accept other duties as assigned by council.

- Share information that you may receive from outside agencies, at conferences, training sessions, or meetings with other members of council.
- Be prepared to accept responsibility for majority decisions of council - even though it may mean supporting a decision that you did not vote for.
- Try to create an intelligent interest in community and public affairs within your municipality.

What Is the Structure of Council?

- The council is composed of elected officials - both the mayor or warden and the councillors.

- The **mayor** is elected at large in towns, regional municipalities and some county or district municipalities. In the case of county or district municipalities that have not adopted the mayoralty system, the **warden** is chosen by and from among council members after the election.

- In either case, the mayor or the warden is the head of council and chief officer of the municipality. He or she presides at all council meetings and maintains order, proper conduct, and decorum at these meetings. He or she will usually act as spokesperson for the municipality at special municipal or community functions and with the media.

- In the decision-making process all councillors, including the mayor or warden, are equal - they each have one vote. By virtue of his or her position, the mayor or warden may be able to persuade other councillors to follow his or her lead but in the final result neither the mayor nor the warden has any more power in council than any other member.

- If elected, you may be asked to serve on a number of the various standing and special **committees of council.** It is at the committee level that many matters are given detailed scrutiny before formal consideration is given by council.

- Standing committees of a municipal council generally relate to such matters as fire protection, recreation, streets, public works, finance, by-law amendments and planning. Special committees are also appointed in relation to special tasks or projects.

What Are My Responsibilities At Council Meetings?

- It is the duty, obligation, and responsibility of every councillor to attend all meetings of council and take part in debates, discussions, and decisions on municipal business.

- In these meetings it is important to listen to other members of council, and to collectively reach decisions that are in the best interest of the whole municipality.

- If you have a personal monetary interest in a matter under consideration by council, then you must not take part in the discussion or vote on such a matter. Under the terms of the *Municipal Conflict of Interest Act* for a closed meeting, you must leave the room until the question has been dealt with. If the meeting is open, you may simply leave the table and sit in the public gallery.

How Does Council Make Decisions?

- Council decisions are expressed in the form of either a **by-law, policy or resolution.**

    - **By-laws** are the formal enactment, under the seal of the municipality, of rules and regulations adopted by council to regulate conduct in the municipality. By-laws may be viewed as the municipal equivalent of provincial or federal legislation.

    - **Policies** are resolutions that are recorded in the by-law book of the municipality; generally they concern the administrative affairs of the municipality. Policies often concern fees or other matters to which the public may want to have regular access.

    - **Resolutions** are less formal. A resolution expresses the decision of council on a particular matter submitted to it in the form of a motion, as moved and seconded, and adopted by a majority vote. Although not as formal as a by-law, a resolution, once adopted by council, will normally be as binding as a by-law until it is reversed or amended.

- Council decisions are made by following **rules of procedure.** The procedure, agenda, and general rules governing the council and its meetings may be laid down in a municipal procedure policy or by-law. Rules are designed to assist council in conducting its business in an efficient and orderly manner. You may contact your municipal office to inquire about a copy of the procedure policy or by-law.

What Is the Relationship Between the Council and the Administration of the Municipality?

- Ideally, council formulates policy and makes decisions, while staff implements these policies and decisions.

- You should avoid the temptation to become a quasi-administrator. You should leave day-to-day administrative matters to the staff and concentrate on your role in providing them with clear and concise policy direction. Council-administration relations should be based on respect and mutual trust.

- You will find it helpful to familiarize yourself with the various services provided by your municipality. This can be done easily by consulting the municipal administrator or the appropriate department head. In addition, you should familiarize yourself with the organizational chart of the municipal unit so that you have a clear picture of the personnel responsible for specific services and any staffing requirements.

HELP FOR NEWLY ELECTED COUNCILLORS

Help is available from many sources. Council members who have had previous experience can put you on the right track.

Your chief administrative officer or municipal or town clerk is experienced with the inner workings of your municipality and will be able to answer many of your questions.

Outside of your municipality, you may want to contact the Union of Nova Scotia Municipalities (please see address below), the Association of Municipal Administrators, Dalhousie University's Henson College, Service Nova Scotia and Municipal Relations, and other departments of government. These organizations and agencies have a wealth of information and, in many cases, professional expertise in numerous areas of municipal involvement.

For additional reading material, an easy reference book is "Grassroots Democracy: Local Government in the Maritimes. Copies can be obtained directly from Henson College at a cost of $29.95 by contacting Jane Mulatz at (902) 494-8885 or by e-mail at jmulatz@hen.henson.dal.ca

The Department of Service Nova Scotia and Municipal Relations will host an orientation session in November in Halifax for all new councillors. There will be speakers on a variety of topics of interest. More details will be available later.

Henson College
Dalhousie University
1535 Dresden Row, Suite 201
Halifax, NS B3J 3T1
Attention: Jack Novack
Phone: (902) 494-8885
Fax: (902) 494-2598
E-Mail: jnovack@hen.henson.dal.ca

Union of Nova Scotia Municipalities
1809 Barrington Street, Suite 1106
Halifax, NS B3J 3K8
Phone: (902) 423-8331
Fax: (902) 425-5592
E-Mail: mainunsm@hfx.eastlink.ca

THE SCHOOL BOARD

What Specific Legislation Applies to the Election of School Board Members?

- School board elections, including the election of members to the *Conseil scolaire acadien provincial* (CSAP), and the African Nova Scotian members of the regional and district school boards, are held at the same time as municipal elections.

- CSAP has the mandate to provide French-first-language instruction to children of "entitled parents" in the province. Only "entitled persons" may vote for or be a candidate for the election of members of CSAP. These terms "entitled parent" and "entitled person" are defined in the *Education Act*.

- One African Nova Scotian member is elected at large to each regional and district school board (except CSAP). Electors who are African Nova Scotians or the parents or guardians of an African Nova Scotian child are entitled to vote for the African Nova Scotian candidates.

- In addition to the *Municipal Elections Act* and the *Municipal Conflict of Interest Act*, the legislation governing school boards is the *Education Act*. Please check with the Returning Officer about copies of these Acts. The legislation can also be viewed by going to the Government of Nova Scotia website: www.gov.ns.ca.

What Are My Duties and Responsibilities?

- In addition to factual information such as the dates of nomination day and election day, the preceding pages contain comments and suggestions that should be of assistance.

- Read carefully the information provided for new councillors. Change the word "council" to "school board" and then apply the suggestions to your proposed work on the school board.

HELP FOR NEWLY ELECTED SCHOOL BOARD MEMBERS

Prior to submitting your name for election, you should speak with the board secretary of your school board and present board members to gain an understanding of the roles and responsibilities of school board members, and of the time commitment that is involved. The superintendent of schools and senior staff will also be able to provide a wealth of information on a variety of education issues. Some boards hold information sessions for prospective candidates which can be most helpful. In addition, if you have not already done so, you would be wise to attend meetings of your board before elections to monitor the board's concerns and procedures.

The Nova Scotia School Boards Association (NSSBA), founded in 1954, serves school boards throughout the province. NSSBA acts as a voice for public education, representing the views and concerns of its member boards at the provincial level. In addition, the association coordinates a number of shared services, including insurance, employee benefits, pension and bulk-purchasing. NSSBA also acts as a clearinghouse of information and hosts a number of professional development activities throughout the year.

The Nova Scotia School Boards Association will be hosting an orientation seminar for school board members on December 2nd and 3rd , 2004, at the Citadel Halifax Hotel.

For further information please contact:

The Nova Scotia School Boards Association
The Communications Manager
95 Victoria Rd.
Dartmouth, NS B3A 1V2
Phone: (902) 491-2856
Fax: (902) 429-7405
E-Mail: sfmacphee@nssba.ednet.ns.ca

Pour obtenir des renseignements supplémentaires (CSAP):

Agent de communications
C.P. 360
Meteghan N-É B0W 2J0
téléphone: (902) 645-5530
télécopieur: (902) 645-5531
e-mail: landryr@csap.ednet.ns.ca

APPENDIX

FORM 40

SECTIONS 49A and 49B

CANDIDATE'S CAMPAIGN CONTRIBUTIONS DISCLOSURE STATEMENT

Name of Candidate:

Name of Agent:

Municipality/School Board:

Date of Election:

List of Contributors (see note below):

Contributor	Civic Address	Contributions
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Note: Insert full name of contributor and residential or business address. Use street address, not postal address. Contributions must be shown for every contributor whose contributions totalled more than $50.00 since the most recent election.

I,_____, a candidate in the municipal/school board/CSAP election on _____(date), certify that the foregoing statement of disclosure is a true and complete disclosure of all contributions made to me and to my official agent as required by Sections 49A and 49B of the *Municipal Elections Act.*

_____

Candidate

(to be filed within 60 days after regular polling day with the clerk of the municipality/secretary of school board)

(A translation of this form is available in French.)

FORM 41

SECTIONS 49A and 49B

ASSOCIATION'S CAMPAIGN CONTRIBUTIONS DISCLOSURE STATEMENT

Name of Association:

Name of Agent:

Name of Candidate Supported:

Municipality/School Board:

Date of Election:

List of Contributors (see note below):

Contributor	Civic Address	Contributions
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Note: Insert full name of contributor and residential or business address. Use street address, not postal address. Contributions must be shown for every contributor whose contributions totalled more than $50.00 since the most recent election.

I,_____, the appointed agent of_____(name of association) in the municipal/school board/CSAP election on_____(date) certify that the foregoing statement of disclosure is a true and complete disclosure of all contributions made to me as agent of the said association as required by Sections 49A and 49B of the *Municipal Elections Act.*

_____

Agent of Association

(to be filed within 60 days after regular polling day with the clerk of the municipality/secretary of school board)

(A translation of this form is available in French.)

FORM 17

SECTION 70

APPOINTMENT OF OFFICIAL AGENT

I, the undersigned, a candidate for the office of_____,

(place a check mark next to the applicable statement)

_____ appoint _____ of _____ as my official agent with
(name) *(address)*

authority to represent me in the manner provided by the *Municipal Elections Act* at the election being held on_____, _____.

OR

_____ declare that I will act personally as official agent in the manner provided by the *Municipal Elections Act* at the election being held on_____, _____.

_____
Signature of Candidate

(A translation of this form is available in French.)

Formulaire n° 40

SECTIONS 49A ET 49B

Déclaration des contributions à la campagne électorale du(de la) candidat(e)

Nom du(de la) candidat(e) :

Nom de l'agent(e) :

Municipalité/Board scolaire :

Date des élections :

Liste des donnateurs (voir note ci-dessous) :

Donnateur	Civic Adresse	Contributions
. . . . .	. . . . .	. . . . .
. . . . .	. . . . .	. . . . .
. . . . .	. . . . .	. . . . .
. . . . .	. . . . .	. . . . .

Note : Veuillez indiquer le nom complet du donnateur, ainsi que l'adresse de son domicile ou de son bureau. Utilisez l'adresse civique et non l'adresse postale. Il est obligatoire de mentionner tous les donnateurs dont les contributions représentent plus de 50,00 $ au total, soit depuis les élections les plus récentes.

Je, soussigné(e) _____, candidat(e) aux élections municipales/scolaires/du CSAP du _____ (date), certifie que la déclaration ci-dessus représente toutes les contributions qui m'ont été versées, à moi et à mon agent(e) officielle, selon les exigences des sections 49A et 49B de la loi sur les élections municipales.

. . . . . .

Signature du(de la) candidat(e)

(À remplir dans les 60 jours suivant le jour des élections auprès du(de la) secrétaire municipal(e) de la municipalité ou du(de la) secrétaire du conseil scolaire.)

(Le présent formulaire est également disponible en anglais.)

Formulaire n° 41

Sections 49A et 49B

Déclaration des contributions à la campagne électorale d'une association

Nom de l'association :
Nom de l'agent(e) :
Nom du(de la) candidat(e) soutenu(e) :
MunicipalitéBoard scolaire :
Date des élections :
Liste des donnateurs (voir note ci-dessous) :

Donnateurs	Civic Adresse	Contribution
. . . . .	. . . . .	. . . . .
. . . . .	. . . . .	. . . . .
. . . . .	. . . . .	. . . . .
. . . . .	. . . . .	. . . . .

Note : Veuillez indiquer le nom complet du donnateur, ainsi que l'adresse de son domicile ou de son bureau. Utilisez l'adresse civique et non l'adresse postale. Il est obligatoire de mentionner tous le donnateurs dont les contributions représentent plus de 50,^{00} $ au total, soit depuis les élections les plus récentes, selon celle de ces deux périodes qui est la plus brève.

Je, soussigné(e) _____, agent(e) officiel(le) de _____ (nom de l'association) aux élections municipales/scolaires/du CSAP du _____ (date), certifie que la déclaration ci-dessus représente toutes les contributions qui m'ont été versées en tant qu'agent(e) officielle de ladite association.

_____

Signature de l'agent(e) de l'assocation

(À remplir dans les 60 jours suivant le jour des élections auprès du(de la) secrétaire municipal(e) de la municipalité ou du(de la) secrétaire du conseil scolaire.)

(Le présent formulaire est également disponible en anglais)

Formulaire 17

Article n°70

Nomination de l'agent(e) officiel(le)

Je, soussigné(e), candidat(e) au poste de_____

(veuillez cocher ci-dessous la case correspodant à l'énoncé qui s'applique)

_____ _____ _____ de
(nom) *(adresse)*
au poste d'agent(e) officiel(le) de ma campagne et lui accorde l'autorité de me représenter selon les dispositions de la loi sur les élections municipales pour les élections qui auront lieu le _____.

OU BIEN

_____ déclare que je remplirai moi-même les fonctions d'agent(e) officiel(le) de ma campagne selon les dispositions de la loi sur les élections municipales pour les élections qui auront lieu le _____ .

_____
Signature du (de la) candidat(e)

(Le présent formulaire est également disponible en anglais)

Province of Nova Scotia)
County of)

IN THE PROVINCIAL COURT

IN THE MATTER OF: Sections 131 and 132 of the Municipal Elections Act, R.S.N.S. 1989, c. 299;

IN THE MATTER OF: An application for a Recount Made By

_____
(name of candidate)
a Candidate in a Municipal Election held in Polling District (Ward) _____ in the
(number)
_____ held
(name of municipality)
on _____.
(date of election)

APPLICATION FOR DATE FOR RECOUNT

TAKE NOTICE that an application will be made by or on behalf of the above named candidate to the Judge of the Provincial Court sitting at the Court House _____ on _____, the
(street address and community where court house is) (day of the week)

_____ day of _____, _____, at the hour of _____
(day) (month) (year)

o'clock in the _____ noon, or so soon thereafter as the application can be made for a time and place to be appointed to recount all ballots in the above noted municipal election, which time will be not more than thirty days after this application.

AND FURTHER TAKE NOTICE that you may be present or represented at the hearing of this application and may make submissions regarding the most convenient time and place for the recount, and if you are not present you will be further notified of the time and place for the recount.

AND FURTHER TAKE NOTICE that the applicant has caused the sum of $200.00 in the form of cash, a certified cheque or a money order to be deposited with the clerk of the court as security for costs of the recount.

DATED at _____, Nova Scotia, this _____ day of _____,
(place) (day) (month)
_____.
(year)

_____
Candidate or Solicitor for Candidate
(street and mailing address)

TO: Clerk of _____
(name of municipal unit)
Returning Officer (if the Clerk is not the Returning Officer)
Other Candidates: _____
_____

Province of Nova Scotia)
County of)

IN THE PROVINCIAL COURT

IN THE MATTER OF: Sections 131 and 132 of the Municipal Elections Act, R.S.N.S. 1989, c. 299;

IN THE MATTER OF: An application for a Recount Made By

_____
(name of candidate)
a Candidate in a Municipal Election held in Polling District (Ward) _____ in the
(number)
_____ held
(name of municipality)
on _____.
(date of election)

ORDER

UPON APPLICATION by the above noted candidate;

AND UPON HEARING all persons wishing to be heard in respect of the application for the appointment of the time and place for a recount in the above noted municipal election;

IT IS HEREBY ORDERED that the above noted recount shall take place at

_____
(full address and room number where applicable)
on _____, the _____ day of _____,_____, at the
(day of the week) (day) (month) (year)
hour of_____ o'clock in the _____ noon, or so soon thereafter as the recount can commence.

IT IS FURTHER ORDERED that the following persons shall be notified of the time and place of the recount by personal service on each of them of a copy of this Order. The persons to be served are:

_____, Municipal Clerk
name
_____, Returning Officer
name
(delete if Municipal Clerk was Returning Officer)

_____, Candidate
name

_____, Candidate
name

_____, Candidate
name

GIVEN under my hand this _____ day of _____, _____ .
(day) (month) (year)

_____
A Judge of the Provincial Court